HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD

C.P. No.D-2103 of 2026

[Muhammad Raheem and another vs. Province of Sindh and others]

Before:

JUSTICE ADNAN-UL-KARIM MEMON
JUSTICE MUHAMMAD JAFFER RAZA

Petitioners:	Through Mr. Moinuddin A. Qureshi advocate a/w petitioners
Respondents No.1to4	Through Mr. Rafique Ahmed Dahri Additional A.G Sindh a/w IO ASI Sohail Jamali
Date of hearing	27.10.2026
Date of Decision	27.10.2026

O R D E R

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ADNAN-UL-KARIM MEMON J:- The petitioners filed a constitutional petition seeking protection from alleged harassment and threats by private respondents, quashment of FIR No. 156/2026 registered under Sections 494 and 495 PPC at Police Station Town Saeedabad, District Matiari, and protection from arrest. They claimed that Petitioner No. 2 had been verbally divorced by Respondent No. 5 in 2024/2025 and subsequently contracted a free-will marriage with Petitioner No. 1 on 30.06.2026. They alleged that Respondent No. 5 and his relatives were harassing and threatening them, had lodged a false FIR, and that police had arrested some of their relatives. The petitioners sought lawful protection, quashment of the FIR, and directions restraining the respondents and police from harassment and unlawful arrest.

Mr. M. M Taha counsel for the respondent No.5/complainant states that petitioner No.2 Mst. Sajida was already married with respondent No.5, however, she without getting divorce and/or dissolution of said marriage has entered into Nikah with petitioner No.1 which is against the injunctions of Islam and the petition is liable to be dismissed on this score alone. The petitioners denied the allegations.

Pursuant to notice Investigation Officer of Crime No.156 of 2026 registered at P.S Saeedabad under Section 494 and 495 PPC has recorded the statement of petitioner No.2, wherein she has categorically reiterated the contents of memo of petition. Investigation Officer submits that based on the statement of petitioner No.2 he will file his report before the learned Magistrate concerned for disposal of the case under C-Class. Learned counsel for the

petitioners is satisfied and seeks disposal of the petition accordingly, however, prayed that directions may be issued to police authorities to provide legal protections to the petitioners. The request seems to be reasonable and acceded to.

In view of the above, instant petition stands disposed of with directions to Investigation Officer to submit his final report within seven days from today before the learned Magistrate concerned for disposal of the case under C-Class. The learned Magistrate shall pass Order in terms of statement of lady petitioner. Meanwhile petitioners be provided due protection in accordance with law. As far as issue of nikah over the alleged nikah is concerned, this Court cannot look into this issue under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 as the petitioner denied her abduction, therefore, respondent No.5 may avail remedy before the competent forum in accordance with law, if so desired.

JUDGE

JUDGE

Sajjad Ali Jessar